

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LODSYS GROUP, LLC,

Plaintiff,

v.

TMSOFT, LLC,

Defendant,

v.

APPLE INC.,

Intervenor and Counter-
Claimant

CIVIL ACTION NO. 2:13-cv-255

[PROPOSED] ORDER

After considering Defendant TMSOFT, LLC's, Motion to Dismiss Under the Texas Citizens Participation Act and For Lack of Personal Jurisdiction, for good cause show, the Court ORDERS that such Motion is GRANTED, and Defendant TMSOFT, LLC is DISMISSED from this action with prejudice, and Defendant TMSOFT, LLC may submit an accounting of its costs, attorneys fees and expenses for the Court to award against Plaintiff LODSYS GROUP, LLC, within thirty days of this Order.